

**GOVERNMENT OF ANDHRA PRADESH**  
**A B S T R A C T**

PUBLIC SERVANTS - Andhra Pradesh Housing Board - Allegation of corruption against Sri P.Laxmana Chary, Junior Assistant (Retired), formerly at office of the Executive Engineer, Andhra Pradesh Housing Board, Western Division, Kukatpally, Hyderabad - Trapped on 30.03.2000 - Prosecuted in a Court of Law - Convicted by the Additional Special Judge for Special Police Establishment and Anti Corruption Bureau Cases, Hyderabad in C.C.No.23/2006, dated 31.10.2007 - Withholding of entire pension and gratuity permanently under rule 9 of the Andhra Pradesh Revised Pension Rules, 1980 - Orders - Issued.

---

**HOUSING (VIG.CELL) DEPARTMENT**

**G.O.Ms.No. 4**

**Dated 28<sup>th</sup> January, 2010**  
**Read the following:-**

1. Judgment dated 31.10.2007 of the Additional Special Judge for Special Police Establishment and Anti Corruption Bureau Cases, City Civil Court, Hyderabad in C.C.No.23 of 2006.
2. Proceedings No.3277/B7/VO/2000, dated 23.01.2008 of the Vice Chairman & Housing Commission, A.P. Housing Board, Hyderabad.
3. Interim Orders dated 31.01.2008 of Hon'ble High Court in W.P.M.P.No.2066 of 2008 in W.P.No.1667 of 2008.
4. Proceedings No.3277/B7/VO/2000, dated 01.03.2008 of the Vice Chairman & Housing Commission, A.P. Housing Board, Hyderabad.
5. From the Vice Chairman & Housing Commissioner, Andhra Pradesh Housing Board, Hyderabad Letter No.3277/B7/VO/2000, dated 02.12.2009.

\*\*\*

**ORDER:**

Whereas, in the reference 1<sup>st</sup> read above, Sri P.Laxmana Chary, Junior Assistant (Retired), formerly at office of the Executive Engineer, Andhra Pradesh Housing Board, Western Division, Kukatpally, Hyderabad was found guilty of the charges framed against him under section 7, section 13 (1) (a) and 13 (1) (d) read with section 13 (2) of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and was convicted under sub-section (2) of section 248 of Criminal Procedure Code 1973. The said Sri P.Laxmana Chary was sentenced to undergo Rigorous Imprisonment for a period of six months and to pay a fine of Rs.300/- in default to undergo Simple Imprisonment for a period of one month for the offence punishable under section 7 of the Prevention of Corruption Act, 1988 (Act 49 of 1988). Further, the said Sri P.Laxmana Chary was further sentenced to undergo Rigorous Imprisonment for a period of one year and to pay a fine of Rs.300/- in default to undergo Simple Imprisonment for a period for one month for the offence punishable under clause (a) of sub-section (1) of section 13 read with sub-section (2) of section 13 of the Prevention of Corruption Act, 1988. Further, the said Sri P.Laxmana Chary was also sentenced to under go Rigorous Imprisonment for a period of one year and to pay a fine of Rs.300/- in default to under go Simple Imprisonment for a period of one month for the offence punishable under clause (d) of sub-section (1) of section 13 read with sub-section (2) of section 13 of the Prevention of Corruption Act, 1988 in Calendar Case No.23 of 2006, dated 31.10.2007.

(2) And whereas, the said Sri P.Laxmana Chary filed Criminal Appeal before the Hon'ble High Court against the orders of the Additional Special Judge for Special Police Establishment & Anti Corruption Bureau, City Civil Court, Hyderabad and obtained interim suspension of sentence on 22.11.2007 vide Crl.A.M.P.No.2177 of 2007 in Crl.A.No.1600 of 2007.

p.t.o.

// 02 //

(3) And whereas, in the proceedings 2<sup>nd</sup> read above, the Vice Chairman & Housing Commissioner, Andhra Pradesh Housing Board, Hyderabad has issued orders dismissing the said Sri P.Laxmana Chary from service. Aggrieved by the said dismissal order, the said Sri P.Laxmana Chary filed W.P.M.P.No.2066/2008 in W.P.No.1667/2008 in the High Court of Andhra Pradesh and obtained interim orders dated 31.01.2008, suspending the dismissal proceedings vide reference 3<sup>rd</sup> read above. Consequent on the interim orders, he was reinstated into service by the Vice Chairman & Housing Commissioner, Andhra Pradesh Housing Board, Hyderabad vide his proceedings 4<sup>th</sup> read above. Subsequently, the said Sri P.Laxmana Chary retired from service on attaining the age of superannuation on 31.01.2009.

(4) And whereas, in the letter 5<sup>th</sup> read above, the Vice Chairman & Housing Commissioner, Andhra Pradesh Housing Board, Hyderabad has informed that on the petition filed by the Andhra Pradesh Housing Board, the Hon'ble High Court has passed the orders dated 01.04.2009 that "in view of the retirement of the employee it has become infructuous". Hence, the interim orders passed by the Hon'ble High Court of Andhra Pradesh are no longer in force.

(5) Government have examined the matter, keeping in view of the decision of the Hon'ble High Court of Andhra Pradesh in the case of Khaja Rafiuddin Vs. Government of Andhra Pradesh [2009 (1) ALT 215] and observed that the conduct of the said Sri P.Laxmana Chary, Junior Assistant (Retired), formerly at office of the Executive Engineer, Andhra Pradesh Housing Board, Western Division, Kukatpally, Hyderabad, which has led to his conviction is such as to warrant the imposition of a major penalty of withholding of entire pension and gratuity permanently on the said Sri P.Laxmana Chary, Junior Assistant (Retired), under rule-9 of the Andhra Pradesh Revised Pension Rules, 1980.

(6) Now, therefore, in exercise of the powers conferred by rule-9 of the Andhra Pradesh Revised Pension Rules, 1980, the Government hereby impose the penalty of withholding of entire pension and gratuity permanently of the said Sri P.Laxmana Chary, Junior Assistant (Retired), formerly at office of the Executive Engineer, Andhra Pradesh Housing Board, Western Division, Kukatpally, Hyderabad.

(7) The Vice Chairman and Housing Commissioner, Andhra Pradesh Housing Board, Hyderabad shall take further action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**M.SAMUEL**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To  
Sri P.Laxmana Chary, Junior Assistant (Retired),  
Through: the V.C.&H.C., A.P.H.B., Hyderabad.  
The Vice Chairman & Housing Commissioner, A.P. Housing Board, Hyderabad.  
Copy to:  
The Director General, Anti Corruption Bureau, Hyderabad.  
The Secretary, A.P. Vigilance Commission, Secretariat, Hyderabad.  
The Law (B) Department.  
Sf/sc.

//FORWARDED::BY ORDER//

SECTION OFFICER